

EXHIBIT C

Pechner Deposition

Non-Responsive Answers

1. Pages 603-604:

10 Q. Taking a look at page 7, lines 268

11 to 282, a number of senior officers as well as

12 other officers were counseled, correct? That

13 did, in fact, happen?

14 MR. DILDAY: Objection.

15 A. And who's counseled? They're

16 counseled by who? Individuals themselves that

17 are the complainants? I mean, you know,

18 involved in it? And we felt comfortable, you

19 know, talking to Chaulk -- I mean, Chaulk was

20 walking around saying I was having an affair

21 with two of my superior officers. Was I

22 supposed to feel comfortable telling Chaulk

23 that he was making accusations about me?

24 Q. Okay. The deposition would go much

1 quicker if you'd pay attention to my question

2 and just answer the question I'm asking.

3 The question I'm asking is, Lines

4 268 to 282 on page 7 indicate that the named

5 officers were, in fact, counseled as a result

6 of this meeting.

7 You have no reason to believe that

8 that did not happen, do you?

9 A. Absolutely, because the harassment

10 got worse.

11 Q. So you think where it says

12 "counseled" here, that that's a fabrication;

13 that they were not counseled?

14 A. How do I know?

15 Q. So you don't know one way or the

16 other?

17 A. All I know is that the harassment

18 got worse after this. So if they were

19 counseled, that was a great counseling

20 session. That's all I need to say.

21 Q. So you do not know one way or the

22 other whether or not they were, in fact,

23 counseled?

24 A. No.

2. Page 605:

1 Q. Okay. Pages 1 to 6 then, ignoring

2 page 7 for the moment, pages 1 to 6 deal

3 with the actual meeting itself; is that

4 accurate?

5 A. There are some accurate things in
6 there. Again, I'm going to say that I did not
7 feel comfortable at this meeting telling them
8 some of the incidents that I was involved in.

9 Q. Okay. I'm not asking about what's
10 not in your report, and I'm not asking about
11 what you didn't say.

12 A. Okay.

13 Q. I'm asking to please pay attention
14 to my question. Pages 1 to 6 which discussed
15 the meeting of January 7th, do they accurately
16 reflect what was said at the meeting?

17 A. Yes.

3. Pages 605-607:

18 Q. Okay. Are there in your mind any
19 omissions in terms of what was said? In other
20 words, anything you consider significant that
21 was said that is not in the report?

22 A. I was sexually assaulted in 1998.
23 Do you think that I was going to sit there
24 with Captain Roland and Captain Chaulk and

1 tell them that I was assaulted and feel safe
2 and feel comfortable -- let me answer the
3 question. You asked a question. Now it's my
4 turn to answer it.

5 So there are some omissions. I did
6 not feel safe or I did not feel comfortable,
7 both, at this meeting. This meeting was
8 little -- this was very little compared to the
9 stuff that was happening.

10 I was sexually assaulted. I was
11 fearful. And to sit there with these two guys
12 and know that at the back of this nothing was
13 going to happen, I didn't express everything
14 that happened to me there. So I can't fully
15 say that a lot of my stuff that I have there
16 is in here.

17 Q. The question I asked was, Is there
18 anything missing from pages 1 to 6 that you
19 felt was significant that was actually
20 discussed?

21 A. I don't know.

22 Q. Okay. So as far as you know,
23 everything of substance that was actually

24 discussed is included in pages 1 to 6?

1 MR. DILDAY: Objection.

2 A. I don't know.

3 Q. And why don't you know?

4 A. I didn't write it. I wasn't the

5 author.

6 Q. But you were there?

7 A. Correct.

8 Q. And you attended the entire

9 meeting?

10 A. Correct.

11 Q. Okay. And based upon your

12 recollection of that meeting, do you feel

13 captains Roland and Chaulk omitted anything

14 that you consider significant?

15 A. I don't recall.

4. Pages 607-608:

16 Q. Okay. To your knowledge, has

17 anyone ever said to you, or anyone else, that

18 there is something inaccurate or omitted from

19 pages 1 to 6 of this report?

20 A. Nobody saw a copy of this report as

21 far as the female officers or as far as I know

22 until I requested a copy of it.

23 Q. Okay.

24 A. So I don't -- I don't know. You'd

1 need to ask the officers that were there.

2 Q. On page 7, at the bottom, there's

3 an indication that a copy of this report was

4 given to Patrol Officer Callahan, your union

5 rep.

6 A. And?

7 Q. To your knowledge, did Officer

8 Callahan ever indicate to anyone, either

9 orally or in writing, that there was anything

10 inaccurate about pages 1 to 6 of this report?

11 A. Officer Callahan and Officer Carey

12 are the chief's people.

5. Pages 609-610:

23 Q. When did you do that?

24 A. Because Patty Carey and Chuckie

1 Callahan didn't want anybody to see this

2 because they're the chief's people, and that's

3 it. That's my answer.

4 Q. When did you do that?

5 A. I don't remember the date.

6. Pages 627-628:

15 Q. Okay. Why did you report it to
16 them?

17 A. If this was your kid, would you
18 report it?

19 Q. Ma'am, I want to know why you
20 reported it to them.

21 A. Why? Because they decided they
22 were going to make comments about the
23 parental -- about my children's parents --

24 Q. Okay.

1 A. -- you know. That's why I reported
2 it.

3 Q. So you were offended by the
4 implicit comment about the parentage of your
5 son?

6 A. Correct.

7. Page 629:

12 Q. Did he tell you why he did it?

13 A. Officer John Burns does a lot of
14 things that nobody understands why.

15 Q. Okay. But my question is, Did he
16 tell you why he did this?

17 A. Because he's ignorant.

18 Q. Did he say, "I'm ignorant"? I
19 understand maybe that's your conclusion as to
20 why he did it. Did he tell you why he did it?

21 A. No.

8. Pages 631-632:

22 Q. Okay. How did it come back to you?

23 A. Because both of my kids are
24 biracial. One's half black and one's half
1 Spanish. And the population at the Revere
2 Police Department, quite a few people have a
3 problem with Hispanic and black people.

4 Q. Okay. But my question is --

5 A. I just answered it.

6 Q. -- how did the knowledge that
7 people were making comments about your
8 children bring back to you?

9 A. Because my children were referred
10 to as a "nigger" and a "spic."

11 Q. Who referred to your children as
12 "niggers" and "spics"?

13 A. You'll have to ask John Burns that.

14 Q. And why will I have to ask John

15 Burns that?

16 A. Because he could answer that for

17 you.

18 Q. How do you know John Burns could

19 answer that question for me?

20 A. Because I know.

9. Pages 633-635:

21 Q. Did you complain to anybody about

22 it?

23 A. It's in the -- complained right

24 here.

1 Q. In what complaint right here?

2 A. That he made remarks about my kids.

3 Q. Ah. Okay. In other words, the

4 January '99 notation?

5 A. Again, like I said, you know,

6 regarding reporting this to Captain Roland and

7 Captain Chaulk, you know, reporting the fact

8 that I knew that Officer Burns called my kids

9 a "nigger" and a "spic," reporting that to

10 Roland and Captain Chaulk, who had no respect
11 at all anyways for people of color, didn't
12 make a whole lot of a difference whether they
13 were Spanish or whether they were black.

14 However, the fact that I had a
15 photocopy here and gave it to them and said,
16 you know, they're talking about my kid and
17 also that Officer James was in the picture,
18 you know, made light of why this incident was,
19 you know, brought up.

20 I mean, I don't recall who John was
21 talking to. All I remember is people coming
22 to me, telling me that there was some remarks
23 made about my kids.

24 Q. More than one person came to you?

1 A. I don't recall.

2 Q. Okay. You said "people coming to
3 me." That could be one person or more than
4 one person. So I'm just trying to figure out
5 if it was more than one.

6 A. I don't recall. One was enough.

10. Page 638:

4 Q. Who rushed you in and out of MCAD?

5 A. That's the way I felt when I was in

6 there --

7 Q. My question was, who --

8 A. -- making the report.

9 Q. Who rushed you in and out of MCAD?

10 A. The people that were doing the

11 intake. I don't know who.

11. Page 648:

14 Q. Okay. Did you assume -- knowing

15 that they were dating, did you assume that

16 they were sleeping together?

17 A. I don't assume anything. I've had

18 it assumed against me, so I'm not going to

19 assume it against anybody else.

20 Q. Okay. So the answer to my question

21 is no, you did not make that assumption?

22 A. Correct.

12. Pages 656-657:

13 Q. That's fine. Is there any

14 reference in the amended complaint to any of

15 the events from 1996 that we've been talking

16 about today?

17 A. No, there isn't.

18 Q. Why not?

19 A. Well, I think the '96 complaint, I
20 took the apology from Officer Burns, and let
21 the rest of the stuff start to roll off my
22 back.

23 And when I had mentioned it to you
24 before, with Officer Burns, knowing about the
1 comments that he made about my children, this
2 went on for a couple years.

3 I mean, in fact, it went into -- it
4 went into '98. I mean, he had a tendency of
5 writing my name out of vacation books, off of
6 details.

7 I mean, I know -- I think it was
8 New Year's of '98 -- well, I don't know if it
9 was John, but I know my name was whited out
10 and John's name was put over my name and they
11 called -- oh, they called me -- it was on the
12 A. M.

13 I think I was supposed to be in New
14 Year's Eve. That would be the last day of the
15 year, right? In '98. And wanted to know why

16 I didn't show up for work. However, I had
17 signed the vacation book and my name was
18 whited out and John Burns's name was written
19 over it.

20 So the things referring to '96, I
21 don't -- you know, other than I got an apology
22 from him probably felt bad. He's got some
23 serious issues, too, I don't know why it's not
24 in the complaint.

13. Page 658:

1 Q. Did he call your children names
2 over a period of a couple years?

3 A. Let's just say he didn't have the
4 best behavior on the job. That's all. I
5 mean --

6 Q. My question was, Did he call your
7 children names over a period of a couple of
8 years?

9 A. Sure.

10 Q. Okay. And did this start in '96?

11 A. Yes.

12 Q. Did it continue in '97?

13 A. He called them a couple -- probably

14 said it a couple times. I don't know. No.

15 Might not have been '97.

16 Q. Did it happen in --

17 A. All I know is that Officer John

18 Burns called my kids derogatory names. I

19 don't remember the dates. I don't remember

20 the time. So you can go on to your next

21 question, because I don't know why it's not in

22 the complaint. I don't know why he called my

23 kids the names he did. Maybe he's got mental

24 problems too.

14. Pages 659-660:

22 Q. Okay. Once you learned about that,

23 did you take action immediately like reporting

24 it to captains Chaulk and Roland?

1 A. Oh, I took it so they could

2 investigate it just like they investigated

3 everything else. Come on.

4 Q. So the answer to my question is

5 yes, you took action immediately?

6 A. Yes, I took action immediately.

15. Page 660:

7 Q. After you took action and Officer
8 Burns apologized to you, did he continue to
9 call your children names?

10 A. Yes. And Lieutenant Santoro
11 continued to talk about his penis.

16. Page 670:

5 Q. And was that a regular feature of
6 your relationship?

7 A. Does it make a difference?

8 Q. I'm just asking if it was a regular
9 part of your relationship.

10 A. Yup.

17. Page 674:

5 Q. And is that Brian Goodwin who was
6 formerly a police officer with the Revere
7 Police Department?

8 A. Right.

9 Q. Okay. He's now an attorney?

10 A. Whatever he is.

11 Q. Okay. Well, I'm trying to make
12 sure we're talking about the same --

13 A. Thanks to the mayor and the city

14 time.

15 Q. I'm sorry?

16 A. Thanks to the mayor and the city
17 time, he got his degree from the Revere Police
18 Department. Pretty good.

19 Q. Okay. So we're talking about the
20 same person then? He's now a lawyer?

21 A. Brian Goodwin. Yeah, he's now a
22 lawyer.

18. Pages 675-676:

3 Q. Okay. Do you recall when you first
4 met him?

5 A. I don't recall.

6 Q. It would have been no sooner than
7 February of '96?

8 A. If that's what you say.

9 Q. Well, I'm asking you to make a
10 logical connection here. You didn't know him
11 prior to becoming a police officer with the
12 City of Revere, correct?

13 A. No.

14 Q. Okay. You became a police officer
15 technically when you raised your right hand in

16 September of '95, but then you went off to an
17 academy and weren't back until February of
18 '96, correct?

19 A. Correct.

20 Q. If I understand your earlier
21 testimony, there was no Revere police officers
22 involved in your academy training?

23 A. What do you mean there were no
24 police officers involved?

1 Q. You went to the academy in Norwood?

2 A. Correct.

3 Q. There were no Revere police
4 officers who were involved in your academy
5 training, teaching you courses, acting as
6 drill officers, doing anything with you while
7 you were there?

8 A. No.

9 Q. Okay. So Mr. Goodwin, you wouldn't
10 have met him while you were going through the
11 academy?

12 A. No.

13 Q. So the logical assumption is you
14 met Mr. Goodwin sometime after you got out of

15 the academy and reported back to the Revere

16 Police Department as a certified police

17 officer in February of '96?

18 A. Correct.

19 Q. And I'm just trying to pin down

20 when, if you can tell me, you met Mr Goodwin

21 and when you began dating?

22 A. I met him, obviously, when I got

23 out of the academy. When we began dating, I

24 don't -- I don't recall.

19. Page 677:

1 Q. Were you dating anyone else besides

2 Mr. Goodwin prior to when you began dating

3 Mr. James?

4 A. I dated Ray Thompson.

5 Q. Who is Mr. Thompson?

6 A. A kid that I dated.

7 Q. Well, I understand that. I'm

8 sorry. Is he a Revere police officer? Is he

9 a painting contractor from Lynn? Is he a, you

10 know, bad musician in Boston? I'm just asking

11 for some indication of who he is.

12 A. He's currently a Mass. police --

13 Mass. State Police.

14 Q. Okay. When you started dating him

15 in '96, what was he?

16 A. He worked at Filene's Basement in

17 Peabody, he went to North Shore Community

18 College with me, and he worked for the

19 sheriff's department.

20. Page 678:

7 Q. Sure. When you dated, did you tend

8 to date one person exclusively, or would you

9 date a number of different men at the same

10 time?

11 MR. DILDAY: And I'm going to tell

12 her --

13 A. Would you ask Brian that? Because

14 Brian was actually cheating on his girlfriend.

21. Pages 680-681:

24 Q. Prior to getting married, did you

1 and he live together?

2 A. I don't remember.

3 Q. You don't remember?

4 A. No.

5 Q. How can you not remember that?

6 A. Don't remember.

22. Page 686-687:

4 Q. Okay. All right. The next entry

5 is April 7, vacation day.

6 A. Yup.

7 Q. Is this a vacation day that you

8 would sign up in the vacation book, the one

9 you talked about previously, where sometimes

10 your name got whited out?

11 A. Yes.

12 Q. So would this normally have been a

13 duty day and because you signed up for

14 vacation it was a day off?

15 A. I don't know if I was working.

16 Maybe, I mean, it could be my kids' vacation

17 day. I don't know.

18 Q. I guess my question --

19 A. You have the rosters there. I

20 guess that would tell if I took a vacation

21 day.

22 Q. But my question is, If you're off
23 duty on Sunday the 7th, you wouldn't need to
24 take a vacation day, you're just off duty,
1 correct?

2 A. You answered your own question.
3 Pretty good.

4 Q. Ms. Pechner, I was not a Revere
5 police officer, and I'm trying to establish a
6 logical connection here.

7 A. Well, logic -- there's your logic.

8 Q. Is it correct, though?

9 A. Sure, it's correct.

10 Q. All right. So where you've written
11 in a vacation day, presumably this is for you,
12 this is a Sunday. Your children would not
13 have had school on Sunday, correct?

14 A. Correct.

15 Q. So, presumably, you were scheduled
16 to work that day, but you took a vacation day
17 and took the day off?

18 A. Easter Sunday, probably.

23. Pages 726-728:

22 Q. In other words, when Burns came up

23 to you to apologize for the photograph and the

24 derogatory comments, was it your belief that

1 he did so in response to the fact that you had

2 complained to captains Chaulk and Roland?

3 A. No. No. Burns got more than a

4 word full. That's why he came up and

5 apologized. It certainly wasn't from

6 Colannino and Roland. That was sometime

7 later.

8 Q. Who gave Burns the word full?

9 A. If this was you in that picture,

10 what do you think you'd say?

11 Q. So is it your understanding that

12 Mark James talked to Officer Burns?

13 A. I don't have any understanding.

14 Q. Have you ever asked?

15 A. I can tell you that it wasn't

16 Chaulk and Roland that did an investigation

17 two years later on an incident that happened

18 in '96. That incident was taken care of more

19 than likely by my husband.

20 Q. Okay. So it's your understanding

21 that Mark talked to John Burns about the

22 photo?

23 A. Quite a few talked to John Burns

24 about the photo.

1 Q. Okay. Who talked to John Burns

2 about the photo?

3 A. I can tell you Mark talked to him.

4 Q. Okay. How do you know that?

5 A. Because he was a little upset that

6 the statements were made.

7 Q. Okay. I understand that he was

8 upset, but how do you know he talked to John

9 Burns about them?

10 A. Because he told me.

11 Q. Okay. When did Mark tell you?

12 A. I don't remember.

13 Q. What did he say?

14 A. I don't remember.

24. Pages 729-730:

1 Q. All right. And at the time, this

2 was in August of '96, the Exhibit 10 photo,

3 you and Mark James were dating at that time?

4 A. And?

5 Q. I'm correct? You and he were

6 dating at that time, correct?

7 A. That's correct.

8 Q. Okay.

9 A. So is it fair to say that because

10 we were dating somebody can write this about a

11 child that's in a picture that "am I your

12 Daddy?" So that's okay to say that?

13 MR. PORR: Motion to strike.

14 Q. Was it common knowledge --

15 A. Motion to strike.

16 Q. -- among the officers of the Revere

17 Police Department that you and Mark James were

18 dating?

19 A. No, it wasn't.

20 Q. Okay. Did you intentionally try to

21 keep that a secret?

22 A. It's not anybody's business who I

23 date.

24 Q. Did you and Officer James

1 intentionally try to keep your relationship a

2 secret?

3 A. Again, it's not anybody's business

4 who I date.

5 Q. Okay. I understand that,

6 Ms. Pechner. My question is, Did you and

7 Officer James intentionally, deliberately,

8 purposely attempt to keep your relationship a

9 secret?

10 A. Maybe.

11 Q. I mean, did you or didn't you?

12 A. Maybe.

25. Page 733:

1 Q. Did she tell you what his sexist

2 remarks were?

3 A. Something about the good old days.

4 He just -- this question was already asked and

5 it was answered. Wasting my time.